

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2010 FEB -2 P 1:19

UNITED STATES OF AMERICA,

JON W. SANFILIPPO
CLERK

Plaintiff,

10-CR-014

Case No.

[T. 21 U.S.C. §§ 841(a)(1) and 843(a)(3)]

v.

ROGER A. PELLMANN, M.D.,

INDICTMENT

Defendant.

THE GRAND JURY CHARGES:

Allegations Common to all Counts

1. At all times relevant:
 - a. The defendant, Roger A. Pellmann, was a medical doctor licensed to practice in the State of Wisconsin.
 - b. Pellmann operated a medical clinic in Germantown, Wisconsin, under the names Center for Medical Imaging, Inc. and Vein & Laser Clinics, S.C.
 - c. Pellmann possessed a registration with the U.S. Drug Enforcement Administration ("DEA") that authorized him to prescribe, administer, dispense, and order controlled substances, including Fentanyl and morphine sulfate, both of which are Schedule II controlled substances.

- d. As a DEA registrant, Pellmann was permitted to prescribe, administer, dispense, and order controlled substances only for a legitimate medical purpose within the scope of his professional practice.

COUNTS ONE -TEN

THE GRAND JURY FURTHER CHARGES:

2. On or about the dates indicated, in the State and Eastern District of Wisconsin,

ROGER A. PELLMANN, M.D.

did knowingly and intentionally possess with intent to distribute and distribute unlawfully Fentanyl, a Schedule II controlled substance, in the approximate quantities indicated, outside of his professional practice and not for a legitimate medical purpose.

<u>Count</u>	<u>Date</u>	<u>Quantity</u>
One	October 6, 2009	600 2ml ampules of Fentanyl citrate
Two	October 13, 2009	600 2ml ampules of Fentanyl citrate
Three	October 14, 2009	600 2ml ampules of Fentanyl citrate
Four	October 21, 2009	600 2ml ampules of Fentanyl citrate
Five	October 26, 2009	600 2ml ampules of Fentanyl citrate
Six	October 30, 2009	600 2ml ampules of Fentanyl citrate
Seven	November 3, 2009	600 2ml ampules of Fentanyl citrate
Eight	November 9, 2009	600 2ml ampules of Fentanyl citrate
Nine	November 12, 2009	600 2ml ampules of Fentanyl citrate
Ten	November 17, 2009	600 2ml ampules of Fentanyl citrate

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNTS ELEVEN - SIXTEEN

THE GRAND JURY FURTHER CHARGES:

3. On or about the dates indicated, in the State and Eastern District of Wisconsin,

ROGER A. PELLMANN, M.D.

did knowingly and intentionally obtain and acquire morphine sulfate, a Schedule II controlled substance, in the approximate amounts indicated, by misrepresentation, fraud, and deception, in that Pellmann issued prescriptions to pharmacies and submitted order forms (DEA Forms 222) to prescription drug suppliers to obtain morphine sulfate representing that the morphine sulfate would be used in the operation of his clinic, when, in fact, as Pellmann well knew, he obtained the morphine sulfate to administer to himself and others not within the scope of his professional practice.

<u>Count</u>	<u>Date</u>	<u>Quantity</u>
Eleven	July 14, 2009	250 1ml vials of morphine sulfate
Twelve	July 24, 2009	20 20ml vials of morphine sulfate

<u>Count</u>	<u>Date</u>	<u>Quantity</u>
Thirteen	October 5, 2009	10 20ml vials of morphine sulfate
Fourteen	October 23, 2009	10 20ml vials of morphine sulfate
Fifteen	November 6, 2009	5 20ml vials of morphine sulfate
Sixteen	November 11, 2009	10 20ml vials of morphine sulfate

All in violation of Title 21, United States Code, Section 843(a)(3).

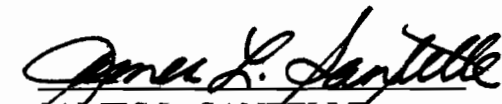
A TRUE BILL:



Foreperson

Feb 2, 2010

Date


JAMES L. SANTELLE
United States Attorney